

Regular Meeting
City Hall, Marysville, Kansas-August 12, 2019

Members of the Governing Body of the City of Marysville were called to order in regular session at 7:00 p.m. on the date and place noted above with Mayor Grund in the chair. City Administrator St. John and City Clerk Holle were also present.

After the Pledge of Allegiance, roll call was answered by the following council members: Boss, Pippia, Hughes, Schroller, Throm and Barnes. A quorum was present.

The minutes from the July 22nd regular meeting were presented for approval. CM Schroller presented an amendment. CM Throm moved, CM Schroller seconded to approve the minutes as amended. Motion carried by 6-0 voice vote.

The minutes from the July 29th Special meeting were presented for approval. CM Throm moved, CM Hughes seconded to approve the minutes. Motion carried by 6-0 voice vote.

PUBLIC COMMENTS:

BUSINESS AND DISCUSSION ITEMS:

1. **1139 KEYSTONE ROAD-WATER AND SEWER CONNECTION/ANNEXATION.** Dexter and Kate Spitsnogle are requesting to build a house at 1139 Keystone Road and do not want to be annexed into the city but would like to hook up to City water and sewer. CC Holle made a printed copy of the responses to questions the Spitsnogles had submitted to the city. Zoning Administrator Richardson reported the city water line is already located on the property and the sewer main manhole is located 220 feet from the property. ZA Richardson added that the two recently built homes on the north side of Keystone Road were connected to that manhole. Mayor Grund told the Spitsnogles that every home built on the south side of Keystone Road had been annexed and all properties annexed paid the set fee of \$5,848.03. CA St. John said the County Sanitarian Marlene Stamm said if the home is within 400 feet it should be hooked to the city sewer because the State of Kansas prefers a maintained sewer system. Dexter asked if there were plans in the near future to connect the existing sewer to the east so it could gravity flow. CM Boss noted that it could be years before that sewer is extended. Mayor Grund gave an overview of potential plans for road improvements in the Keystone Road area.
2. **ORDINANCE #1880 TEXT AMENDMENT TO THE UNIFIED LAND DEVELOPMENT CODE CHANGING TOWER HEIGHT.** CC Holle presented an ordinance reducing the height of towers and antennas in the City to 30 feet. The Planning and Zoning Commission held a public hearing July 18, 2019 and there were no protests filed. CM Throm moved, CM Boss seconded to approve Ordinance #1880. Motion carried 6-0.
3. **ECONOMIC DEVELOPMENT DEMOLITION INCENTIVE 505 SPRING.** CI Richardson presented pictures of a blighted property owned by Ronald Schwindamann at 505 Spring. Ron requested the economic development demolition incentive for the property which he would use toward the fees to demolish his structure. CM Throm moved, CM Schroller seconded to approve

the economic demolition incentive request of up to \$2,500 for demolition of the structure. Motion carried unanimously.

- 4. ECONOMIC DEVELOPMENT DEMOLITION INCENTIVE 307 S. 6TH STREET.** CI Richardson presented pictures of blighted property owned by Thomas and Lucinda Holle at 307 S. 6th Street. Thomas and Lucinda requested the economic development demolition incentive for the property they would use toward the fees to demolish the house. Mayor Grund asked CC Holle to leave the council table and report from the podium in the council room. Mayor Grund asked for confirmation the property was blighted. Cindy said there is a tarp on the roof which has leaked causing mold throughout the house as reported by a HazMat Specialist from Seneca, Kansas. CI Richardson reported he had not gone in the house but observed it from outside. CM Boss moved, CM Throm seconded to approve the economic development demolition incentive request of up to \$2,500 for demolition of the house. Motion carried unanimously.
- 5. TRAIL LIFE AND AMERICAN HERITAGE GIRLS RECRUITMENT NIGHT 8/21/19.** Ben Throm representing these two groups asked the City to suspend Standard Public Offense Code Sec. 10.6 on August 21, 2019 from 6:30 to 8:00 p.m. at the Country Club Lake. The code restricts BB guns and bow and arrow operation to indoor facilities. This is the same request as last year. During recruitment night the participants will have the opportunity to shoot single pump BB guns and 15 lb. draw bows outside near Country Club Lake. The participating clubs have adult leaders who are certified as safety officers in gun and archery. Ben noted PC Ackerman approved the event. Mayor Grund asked Ben to inform Marysville Recreation Director Brian Fragel of the date of the event to insure there were no scheduling conflicts and to also inform Frank Huffman (who lives near the lake). CM Schroller moved, CM Barnes seconded to suspend the code on August 21 from 6:30 to 8:00 p.m. at Country Club Lake if there are no conflicts at Lakeview or with Huffmans. Motion carried 5-0-1 vote. CM Throm abstained because he is involved with the Trail Life Organization.
- 6. ORDINANCE #1881 STANDARD TRAFFIC ORDINANCE.** CC Holle presented an amended ordinance incorporating the Standard Traffic Ordinance for Kansas Cities 2019 into the City Code and repealing Ordinance 1864. CM Throm moved, CM Barnes seconded to approve the Standard Traffic Ordinance. Motion carried unanimously.
- 7. ORDINANCE #1882 UNIFORM PUBLIC OFFENSE ORDINANCE.** CC Holle presented an amended ordinance incorporating the Uniform Public Offense Ordinance for Kansas Cities 2019 into the City Code and repealing Ordinance 1865. CM Schroller asked the ordinance to read “for the purpose of regulating public offenses”. CM Throm moved, CM Barnes seconded to approve the Uniform Public Offense Ordinance as amended. Motion carried unanimously.
- 8. CODE OF ETHICS.** CM Pippia presented examples of a Code of Ethics used by the City of Wichita. CM Pippia’s concern is the city has several manuals which do not all use the same verbiage concerning the City’s Code of Ethics. CM Pippia would like section 1-205. in Article 2.

Governing Body with regard to executive and administrative powers of the mayor and governing body be revised. Mayor Grund asked CM Pippia to present a revised code. Mayor Grund would like the Administration and Finance Committee to discuss the revision.

RECESS REGULAR MEETING. CM Throm moved, CM Pippia seconded to recess the regular meeting. Motion carried unanimously.

At 7:39 p.m., members of the Marysville Public Building Commission were called to order in regular session with Mayor Grund in the chair.

Roll call was answered by the following Public Building Commission Members: Boss, Pippia, Hughes, Schroller, Throm and Barnes. Absent Graham and Frye. A quorum was present.

1. **KANSAS STATE TREASURER (BOND PAYMENT).** PBCM Throm moved, PBCM Pippia seconded to approve the annual bond payment for \$229,932.50 to the Kansas State Treasurer. Motion carried unanimously.

At 7:42 p.m., the Public Building Commission Meeting was adjourned after a motion by PBCM Throm moved, seconded by PBCM Barnes and unanimous voice vote.

At 7:42 p.m. the regular meeting was opened by Mayor Grund.

NOTICES AND HEARINGS. 2020 BUDGET HEARING. At 7:43 p.m., Mayor Grund opened the public hearing. The proposed budget authority for 2020 was set at \$11,561,473 and the requested Ad Valorem Tax is \$2,013,477. No public comments were presented. CM Throm moved, CM Barnes seconded to close the budget hearing. Motion passed 6-0. CM Boss moved to approve the Budget Certificate as amended, CM Throm seconded. Motion passed unanimously. Mayor Grund noted the mill levy would remain flat or be slightly lower.

TRAFFIC CONTROL MEETING. Mayor Grund reported there would be a traffic control meeting at the Lee Dam Arts Center concerning the CCLIP Project which will begin soon on Highway 77 South from Broadway to Spring. The meeting will be from 6:00 to 8:00 p.m. There is an 80 workday schedule and KDOT will monitor the project which may not be completed until spring of 2020.

PLANNING AND ZONING PUBLIC HEARING. Planning and Zoning Administrator Richardson reported a Planning and Zoning Public Hearing was held on August 8 regarding a zoning change on N. 7th to 8th Street, Calhoun to North Street. If no protests are presented, an amendment will be presented at the Council Meeting August 23.

CONSENT AGENDA. The Consent agenda was presented for consideration. CM Throm moved, CM Barnes seconded to approve items 2 through 5. Mayor Grund noted the investment of \$3,158,000 in idle funds matures December 9, 2019 and CC Holle confirmed. Motion carried unanimously. Item 1 the Homecoming Parade-Mitchell Shepherd MHS teacher and Student Council Sponsor asked about an alternate route due to the construction on Highway 77. CM Throm moved, CM Schroller seconded to

approve the Homecoming Parade to block intersections on Broadway from 4th Street to 8th Street where the parade will go south on 8th Street through the City Park. Motion passed unanimously. The Consent Agenda consisted of the following:

1. Marysville High School Homecoming Parade requests September 13, 2019 at 2:00 p.m.
2. United Bank & Trust blocking City Park for Homecoming Tailgate September 13, 2019 from 4 to 8 p.m.
3. City Clerk's Report for July showed \$61,482.39 collected in receipts with a like amount being deposited with the City Treasurer.
4. Cash balances in funds as of July 31, 2019 were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through July 2019 showed unadjusted accumulated revenues in the General Fund of \$2,012,354 or 81% of budget; Water Revenue Fund, \$482,712 or 53% of budget, Sewer Revenue Fund, \$461,540 or 60% of budget. Unadjusted statement of expenditures in the General Fund totaled \$1,382,597 or 49% of budget, Water Revenue Fund, \$480,897 or 34% of budget, and Sewer Revenue Fund, \$344,581 or 31% of budget.
5. Municipal Judge's Report for July showed \$3,006.50 being deposited with the City Treasurer and \$117.50 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.

APPROPRIATIONS ORDINANCE NO. 3704

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$157,966.34; Water Revenue Fund, \$28,639.24; Sewage Revenue Fund, \$14,601.47; Library Revolving, \$6,176.77; Swim Pool Sales Tax \$21,145.31; Special Law \$480.00; Koester Block Maintenance, \$1,501.95; Employee Benefit Fund, \$7,287.32; Transient Guest Tax, \$2,870.90; Municipal Equipment, \$18,248.50; Capital Improvement, \$4,264.90; Sales Tax Improvements, \$74,407.78 making a total of \$337,590.48.
2. An appropriations ordinance was introduced and considered to honor claims against the funds of the City as audited by the Finance Committee. CM Throm moved, CM Boss seconded to approve the appropriations ordinance totaling \$337,590.48. Mayor Grund noted there was a \$4,000 change order to Hall Brothers for the Highway 36 Project because they had to repair the base. Mayor Grund said there was an additional cost to convert the Police truck to the Water Department truck. CC Holle will research the cost of previous police trucks transferred to other departments. Boss overviewed large expenditures including the repair of the Library entry doors damaged in an accident, Highway 36 project and a new truck. Motion to approve the appropriations ordinance carried by 6-0 roll call vote. City Clerk Holle assigned Ordinance No. 3704.

STAFF REPORTS:

CITY ADMINISTRATOR:

- 1. SEWER TRUCK REPAIRS.** CA St. John presented an estimate to repair the sewer vac truck. The quote of \$11,014.91 was based on pictures submitted to Elliot Equipment (where the truck was purchased) and included replacing valves, seals, rust removal and paint. CM Throm moved to approve the quote to repair the sewer vac truck, CM Pippia seconded. Motion carried with a 6-0 voice vote.
- 2. CURED IN PLACE PIPE CHANGE ORDER.** CA St. John presented change order from Insituform of \$18,339.10 to line 10-inch and 12-inch pipes which were listed as 8-inch pipes. The change order also had an additional fee to clean 280 linear feet of ductile iron pipe. CM Throm moved, CM Pippia seconded to approve the change order. Motion carried 5-1. Hughes voted no.
- 3. JENKINS WATERLINE PROJECT.** The plans to replace the waterline on Jenkins 17th to 20th Street designed by CES were included in the agenda packet. Mayor Grund asked the contract to be amended to include the wording “the properties disturbed need to be restored to pre-construction condition.” This will be a 40 working day contract. CM Throm moved, CM Boss seconded to go out for bids on the waterline replacement. Motion carried unanimously.
- 4. FINANCIAL.** CA St John updated the governing body on the status of General Fund, Water Revenue Fund, Sewer Revenue Fund and Sales Tax Improvement Fund. A master project list was also presented.

STANDING COMMITTEE REPORTS:

CM Hughes asked if the barb wire waiver was completed. CA St. John said the waiver would be presented to council for approval before it is finalized. Mayor Grund asked the waiver be completed by October 14. Mayor Grund asked CC Holle to make sure the City was prepared for the 2020 census.

STREET:

- 1. BRYANT & BRYANT STAGING AREA.** Mayor Grund noted the staging area for Bryant & Bryant (who is the contractor for the CCLIP project) was at 2nd and Walnut Streets.
- 2. CDBG GRANT IN THE KEYSTONE AREA.** Mayor Grund told the Council that she emailed Emily at NCRP commission regarding a possible CDB grant for 11th, 12th and Keystone Roads for a target area including a few specific Marysville Township residences. CM Barnes questioned if the council had decided where the next CDB grant request should be applied. The governing body agreed to survey the homes in Marysville Township to see if the target area would qualify.
CA St. John pointed out the City would become responsible for all the roads that are improved in this area.

3. **TRASH CAN AT THE PONY STATUE.** CM Schroller asked if a trash can could be placed in the Pony Park.
4. **WAVE IN PATCH ON HIGHWAY 36.** CM Throm asked if Hall Brothers could smooth out the street repair on Highway 36. The City will hold the payment until this has been repaired.
5. **CHIP AND SEAL.** CM Throm asked if the Street Department would start chip and seal soon. CA St. John said the crew was working on getting the third route ready. Mayor Grund stated if the crew could not complete all routes they should at least complete the first and second routes.

PARKS & RECREATION:

1. **STORM WATER ENGINEER FOR LAKEVIEW PROJECT.** CM Barnes reported the Parks and Recreation committee met and conducted phone interviews with Olsson and Schwab Eaton. The committee recommended Schwab Eaton to engineer the storm water at Lakeview because they would do the project in planned phases. CM Barnes moved, CM Pippia seconded to hire Schwab Eaton as the storm water engineer on the Lakeview Project. Motion carried unanimously.
2. **MOSQUITO SQUAD.** Mayor Grund said the Mosquito Squad would spray the City contracted areas about August 14.
3. **LAP SWIM.** CA St. John reported lap swim at the Swimming Pool would continue thru the first week in September. The pool will close for open swim August 18.

CEMETERY AND AIRPORT:

1. **COLUMBARIUM.** Mayor Grund asked if the City should think about building a Columbarium at the City Cemetery for urn burials. The Cemetery committee will meet to discuss this.
2. **AVENUE OF FLAGS PLAQUE.** CM Throm moved, CM Boss seconded to purchase a plaque in honor of Don and Leanna Stenglemeier who donated the flags for the Avenue of Flags at the City Cemetery and place the plaque on the locator kiosk. Motion passed 6-0. CM Schroller and CC Holle asked if a new kiosk could be built.

POLICE AND FIRE:

1. Mayor Grund reported PC Ackerman and Sargent Ohlde presented a security scam program at the Sterling Connection and did a great job. Mayor Grund thanked the Fire Department and Police Department for applying for grants as this save tax payer money. The third firehouse planning meeting is Friday, August 16. BG will bring a presentation to council at the August 26 council meeting.

APPOINTMENTS:

Mayor Grund appointed the following positions.

Retroactive to May 1, 2019 thru April 30, 2020:

City Attorney-Craig Olsen

Municipal Judge-Ken Lamoreaux

Retroactive to May 1, 2019 thru August 14, 2019:

City Prosecutor-Libby Baskerville Hiltgen

August 15, 2019 thru April 30, 2020:

City Prosecutor-Meghan Voracek

CM Throm moved, CM Boss seconded to approve the mayor's appointments. Motion carried 5-1 vote. CM Barnes voted no.

ROUNDTABLE DISCUSSION:

1. **HOME COMMING PARADE.** Mayor Grund asked if anyone had ideas for a council float in the Homecoming Parade to let her know.

There being no further business, at 9:20 p.m. CM Throm moved to adjourn, CM Hughes seconded. Motion carried unanimously.

Cindy Holle

City Clerk